

APPROVED MINUTES, OCTOBER 21, 2004  
CITY OF GUNNISON  
ZONING BOARD OF ADJUSTMENT AND APPEALS  
SPECIAL MEETING  
Rev 10/22/04

<u>MEMBERS</u>	<u>PRESENT</u>	<u>ABSENT</u>
JUDY KLINKER, CHAIRPERSON	X	
CARL PICKETT, VICE CHAIR	X	
MARIAN HICKS	X	
WES BAILEY	X	
MARLA LARSON		X

OTHERS PRESENT: COMMUNITY DEVELOPMENT DIRECTOR STEVEN WESTBAY, PLANNING TECHNICIAN ANDIE RUGGERA, BRETT REDDEN, AND BRUCE GIFFORD.

**I. CALL TO ORDER AT 7:00 BY CHAIR JUDY KLINKER**

**II. PLANNING STAFF UPDATE**

Community Development Director, Steve Westbay introduced new staff and outlined a few changes to the staff reports and packet.

**III. CONSIDERATION OF MAY 27, 2004 MINUTES**

Member Bailey moved to approve the May 27, 2004 meeting minutes.

Hicks seconded the motion.

Roll Call Yes: Pickett, Hicks, Bailey, and Klinker

Roll Call No:

Motion Carries

**IV. ~~VF-04-4~~; GUNNISON COUNTY ARFF BUILDING - REQUEST FOR VARIANCE OF HEIGHT OF BUILDING**

The public hearing was opened at approximately 7:05p.m.

Proof of publication was shown for the record.

Director Westbay gave an overview of the request, summarizing the request for a height variance of four feet and ten inches, making the total height of the building 39 feet and 10 inches.

Brett Redden, representing the applicant, was present. Mr. Redden informed the Board that the reason a request was being made was for a watch tower/room. The room's requirement for reasonable use is to have a 360 degree view of air traffic and the runway.

Mr. Redden continued stating the height is driven off of the fire truck bays. If the variance is not granted, the watch room would not be built and would create a safety issue.

With no public comment the public hearing was closed at approximately 7:25p.m.

Board Member Hicks moved to approve the height variance (VA 04-4) for the Airport Rescue and Firefighting Facility with the following findings and conditions:

Findings:

1. The Zoning Board of Adjustments and Appeals finds that this application has met the minimum application standards as set forth in the Land Development Code 15-12-3C, Minimum Application Contest, and 15-14-3 Variance Application contents.
2. The Zoning Board of Adjustments and Appeals finds that the proposed facility is located in the Industrial Zone.
3. The Zoning Board of Adjustments and Appeals finds that the ARFF building is necessary and beneficial to the community.
4. The Zoning Board of Adjustments and Appeals finds that the requested height variance is a recommendation of the Federal Aviation Agency, as stated in the Advisory Circular No. 150/5210-15.
5. The Zoning Board of Adjustments and Appeals finds that based on City Code (15-12-6C1): "An Application that fails to comply with any applicable review standards shall be denied."
6. The Zoning Board of Adjustments and Appeals also finds that based on City Code (15-14-2.E), the Board shall deny any application that does not demonstrate the required showing set forth in Section 15-14-4, Required Showing.
7. The Zoning Board of Adjustments and Appeals finds that the application demonstrates all of the seven criteria listed in Required Showing, stated heretofore.

Conditions:

1. That a landscape plan shall be submitted based on City Code 15-9-3, and shall be approved prior to the issuance of a certificate of occupancy.
2. That off-street parking standards must be met based on City Code 15-8, and approved by City staff prior to the issuance of a building permit.

Member Bailey seconded the motion.

Roll Call Yes: Pickett, Hicks, Bailey, and Klinker

Roll Call No:

Motion Carries

**V. VF-04-5; BRUCE GIFFORD - REQUEST FOR VARIANCE OF SETBACKS OPEN PUBLIC HEARING**

Chair Klinker stepped down from discussion/vote at this time.  
The public hearing was opened at approximately 7:30p.m.

Proof of publication was shown for the record.

Director Westbay gave an overview of the application regarding a variance for a side setback of three feet and nine inches and a rear setback of five inches. Westbay stated the applicants request is based on the location of the gas line.

Bruce Gifford, the applicant, stated he hoped the Board found his application complete and was there to answer any question that they may have. Mr. Gifford answered a question regarding the distance of the gas line from the proposed shed; his reply was approximately one foot.

The Board commented the variance would allow the property to stay neat as the existing buildings would line up with the proposed building.

With no comment from the public, the public hearing was closed at approximately 7:40p.m.

Board Member Bailey moved to approve the variance (VA 04-5) for the property located at 205 S. Teller Street, with the following findings and condition:

Findings:

1. The Zoning Board of Adjustment and Appeals finds that this application has met the minimum application standards as set forth in the Land Development Code 15-12-3C, Minimum Application Contents, and 15-14-3 Variance Application Contents.
2. The Zoning Board of Adjustment and Appeals finds that this site is zoned R- 1, Single Family Residential.
3. The Zoning Board of Adjustment and Appeals finds that this site is located on a corner lot with one adjacent neighbor to the south, and that if granted, this variance will positively affect the neighbors to the south as it will provide additional privacy for their back yard.
4. The Zoning Board of Adjustment and Appeals finds that based on City Code (15-12-6C1): "An Application that fails to comply with any applicable review standard shall be denied."
5. The Zoning Board of Adjustments and Appeals also finds that based on City Code (15-14-2.E), the Board shall deny any application that does not demonstrate the required showing set forth in Section 15-14-4, Required Showing.

6. The Zoning Board of Adjustment and Appeals finds that the application demonstrates all of the seven criteria listed in Required Showing, stated heretofore.
7. The Zoning Board of Adjustment and Appeals finds that the existing garage/carport and wood shed encroach onto the setbacks by 5”.

Condition:

1. That the applicant receives and acknowledges receipt and understanding of Chapter 15, Article 17, Non-conformities.

Member Hicks seconded the motion.

Roll Call Yes: Hicks, Bailey, and Pickett

Roll Call No:

Motion Carries

## **VI. ADJOURNED at 7:45**

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Chair, Judy Klinker

Attest:

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Andie Ruggera, Secretary